

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CONNECTU LLC

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO  
SAVERIN, DUSTIN MOSKOVITZ, ANDREW  
MCCOLLUM, CHRISTOPHER HUGHES, and  
THEFACEBOOK, INC.,

Defendants.

MARK ZUCKERBERG, and  
THEFACEBOOK, INC.,  
Counterclaimants,

v.

CONNECTU LLC,  
Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER  
WINKLEVOSS, and DIVYA NARENDRA,  
Additional Defendants on Counterclaims.

Civil Action No. 1:04-CV-11923 (DPW)

District Judge Douglas P. Woodlock

Magistrate Judge Robert B. Collings

**AFFIDAVIT OF NICOLAS J. HEYMAN IN SUPPORT OF THE FACEBOOK  
DEFENDANTS' (i) OPPOSITION TO CONNECTU LLC'S MOTION TO COMPEL THE  
PRODUCTION OF MIRROR IMAGES OF DEFENDANTS' HARD DRIVES AND  
OTHER ELECTRONIC MEMORY DEVICES AND DOCUMENTS CREATED AFTER  
MAY 21, 2004, AND CROSS-MOTION FOR PROTECTIVE ORDER**

I, NICOLAS J. HEYMAN, declare as follows:

1. I am the Director of Operations at TheFacebook, Inc. (“TheFacebook”). I make this Declaration in support of the Facebook Defendants’ (i) Opposition to Plaintiff’s Motion to Compel the Production of Mirror Images of Defendants’ Hard Drives and Other Electronic Memory Devices and Documents Created after May 21, 2004, and (ii) Cross-Motion for Protective Order. I have personal knowledge of the facts stated therein and if called as a witness, could and would competently testify thereto.

2. The total aggregate amount of data, both internal and user data, which TheFacebook, Inc. presently has in its possession, custody, and control, constitutes substantially in excess of one terabyte of information.

3. I anticipate, based on past growth rates and current projections, that this total amount of data will roughly double over the next month.

5. This data is distributed over approximately two hundred different computers and between 600 – 800 hard drives, or other memory devices.

6. This data is an integral part of our website and our business. It is my experience and understanding that the copying of substantial categories of information from this data set and/or the grant of exclusive access to the hardware on which it resides, would be highly disruptive, and potentially catastrophic to the day-to-day functioning of TheFacebook’s website and business.

7. Creating a copy of even a substantial subset of TheFacebook’s total data would, in my experience, require the complete shut down of TheFacebook’s website, and its business, for a period of at least two weeks.

8. Providing exclusive access to the computers and hard drives themselves would require TheFacebook to either (i) replicate the data and hardware systems in advance at a cost in the millions of dollars, or (ii) completely shut down its website and its business for the duration of such period.

9. It is my understanding, based on my experience in the information management field and other knowledge, that the print holdings of the Library of Congress would, if digitized and stored as plain text, constitute 17 to 20 terabytes of information.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This declaration is executed on this 18th day of August, 2005, at Palo Alto, California.

/s/ Nicolas J. Heyman

Nicolas J. Heyman

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